

Protecting Our Water Environment

BOARD OF COMMISSIONERS

Nicholas J. Meias
President
Nancy Drew Sheehan
Vice President
Gloria Aliitto Majewski
Chairman, Committee on Finance
Thomas S. Fuller
Frank E. Gardner
Joseph E. Gardner
Kathleen Therese Meany
Terrence J. O'Brien
Harry "Bus" Yourell

Metropolitan Water Reclamation District of Greater Chicago

INDUSTRIAL WASTE ENFORCEMENT / PRETREATMENT SECTION

POST OFFICE BOX 10654

CHICAGO, ILLINOIS 60610

312 / 751-3044

CECIL LUE-HING

Director of Research & Development

CERTIFIED MAIL

RETURN RECEIPT REQUESTED

CEASE AND DESIST ORDER

METROPOLITAN WATER RECLAMATION)
DISTRICT OF GREATER CHICAGO)

vs.)

J W P ANODIZING COMPANY INC.)

VIOLATION NO. 91-1041R

PRETREATMENT SYSTEM
MALFUNCTION OR ACCIDENTAL
SPILL NOTIFICATION--FAILURE
TO REPORT

TO: Mr. John W. Payne
President
1820 West Lake Street
Chicago, Illinois 60612

EPA Region 5 Records Ctr.



236922

Investigation has revealed that you have violated Article V, Section 4 of the Sewage and Waste Control Ordinance (Ordinance) of the Metropolitan Water Reclamation District of Greater Chicago (District) and the applicable Illinois law pertaining to pollution. Your violation consists of failure to properly report a malfunction and spill that occurred at your facility on September 16, 1991. You are required to notify the District immediately by telephone to the Research and Development Department, Industrial Waste Division (312) 751-3044 during normal business hours or to the Systems Dispatcher (312) 751-3575 at all other times. This notification must be confirmed in writing within five calendar days explaining the incident and outlining corrective measures to prevent a recurrence.

District records indicate that telephone notification of the malfunction and spill at your facility was not received and that written notification of the incident was received in excess of the five calendar day limit.

To attain compliance with this Order, you are required to submit to the District, within 30 days of the date of this Order, a fully implemented Spill Prevention, Control and Countermeasure (SPCC) Plan, including specific provisions for proper notification to the District, of any pretreatment system malfunction, bypass or accidental spill incident. The SPCC Plan must provide for reporting of such incidents in conformance with Article V, Section 4 of the Ordinance.

Enclosed is an outline entitled "Elements of a Spill Prevention, Control and Countermeasure Plan" to be used when preparing the SPCC Plan as required by this Order. Due to the diverse nature of the industrial community, each and every listed topic may not be applicable to your specific operation. However, it is recommended that you seriously consider the applicability of each listed element since these are the criteria by which the District will evaluate your SPCC Plan. Final acceptance of your SPCC Plan will be subject to a physical inspection of your facility by District personnel.

Failure to submit a SPCC Plan as required herein, or failure to report future pretreatment system malfunctions, bypass or accidental spill incidents in conformance with the Ordinance will result in a recommendation to the District's Law Department that Show Cause action be taken against your company.

Please be advised that this Order is issued in response to a significant violation of the District's Ordinance and of federal pretreatment regulations. Any company identified as a significant violator is published annually in the newspaper as significantly violating the District's Ordinance or other pretreatment requirements, in accordance with 40 CFR 403.8(f)(2)(vii).

WHOEVER FAILS TO COMPLY WITH ANY PROVISION OF THE SEWAGE AND WASTE CONTROL ORDINANCE SHALL BE SUBJECT TO FINES AND PENALTIES OF NOT LESS THAN \$100.00 NOR MORE THAN \$10,000.00 BY ORDER OF THE BOARD OF COMMISSIONERS. EACH DAY'S CONTINUANCE OF SUCH FAILURE TO COMPLY SHALL CONSTITUTE A SEPARATE OFFENSE. THE FINES AND PENALTIES SO IMPOSED PLUS REASONABLE ATTORNEY'S FEES, COURT COSTS AND OTHER EXPENSES OF LITIGATION, TOGETHER WITH COSTS FOR INSPECTION, SAMPLING, ANALYSIS, AND ADMINISTRATION RELATED TO THE ENFORCEMENT ACTION AGAINST THE OFFENDING PERSON, BEGINNING WITH THE ISSUANCE OF THIS CEASE AND DESIST ORDER, ARE RECOVERABLE BY THE DISTRICT IN A CIVIL ACTION.

Direct inquiries should be made to Mr. Greg Yarnik, Pollution Control Officer, at (312) 751-3076.

Witnessed: October 15, 1991
Metropolitan Water Reclamation
District of Greater Chicago
Frank E. Dalton
General Superintendent

BY. *C. Lue-Hing*
Cecil Lue-Hing, D.Sc., P.E.
Director
Research and Development

CLH:GY:js
Enclosures
cc: D. Inman, City of Chicago
J. Dencek
L. Kollias
K. Devulapally
G. Yarnik
EC851/13728